

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

OAK FINANCIAL GROUP, INC.,

Plaintiff,

v.

Civil Action No. 1:21-cv-03249-FB-MMH

INFINITY Q DIVERSIFIED ALPHA FUND,  
TRUST FOR ADVISED PORTFOLIOS,  
INFINITY Q CAPITAL MANAGEMENT  
LLC, CHRISTOPHER E. KASHMERICK,  
JOHN C. CHRYSTAL, ALBERT J. DIULIO,  
S.J., HARRY E. RESIS, RUSSELL B. SIMON,  
STEVEN J. JENSEN, JAMES VELISSARIS,  
LEONARD POTTER, SCOTT LINDELL,  
QUASAR DISTRIBUTORS, LLC,  
EISNERAMPER LLP, BONDERMAN  
FAMILY LIMITED PARTNERSHIP LP, AND  
INFINITY Q MANAGEMENT EQUITY,  
LLC,

Defendants.

**STIPULATION AND [PROPOSED]  
ORDER REGARDING SCHEDULING**

WHEREAS, on March 29, 2022, this Court scheduled a pre-motion conference for April 14, which the Parties anticipate will include discussion of a schedule for the filing of Plaintiff's amended complaint and Defendants' motions to dismiss;

WHEREAS, there are two related putative class actions pending before this Court,<sup>1</sup> which have recently been consolidated and a case management schedule recently issued;

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<sup>1</sup> The putative class actions are *Yang v. Trust for Advised Portfolios, et al.*, No. 1:21-cv-01047-FB-MMH, and *Schiavi + Company LLC DBA Schiavi + Dattani et al. v. Trust for Advised Portfolios et al.*, No. 1:22-cv-00896-FB-MMH. The putative class actions were consolidated on April 8, 2022. See *Yang*, ECF No. 58; *Schiavi + Company LLC*, ECF No. 8.

WHEREAS, the Parties have met and agreed to a proposed schedule for the filing of Plaintiff's amended complaint and Defendants' responsive pleadings or motions to dismiss in the instant action;

NOW, THEREFORE, the parties, through their undersigned attorneys and subject to the Court's approval, stipulate and agree to the following:

1. Plaintiff will have until June 15, 2022, to either file an amended complaint in this action or to notify the Court and all Parties that it does not intend to file an amended complaint;
2. Defendants shall have 60 days from the filing of Plaintiff's amended complaint to answer, move, or otherwise respond to the amended complaint, or, in the event that Plaintiff does not file an amended complaint, shall have 45 days from the date of Plaintiff's notification that it does not intend to file an amended complaint to answer, move, or otherwise respond to Plaintiff's original complaint;
3. Plaintiff will file opposing papers to any Defendants' motion to dismiss within 60 days of the motion being filed, and Defendants will file reply papers in connection with any such motion within 30 days after that.

IT IS SO STIPULATED.

Dated: New York, New York  
April 12, 2022

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SO ORDERED:

HON. FREDERIC BLOCK, U.S.D.J.